



# Conference of the States Parties to the United Nations Convention against Corruption

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### Draft report

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### Addendum

## VII. Implementation review and technical assistance

1. At its 6th and 7th meetings, on 28 and 29 November 2013, the Conference of the States Parties considered agenda item 2, “Review of the implementation of the United Nations Convention against Corruption” and agenda item 3, “Technical assistance”.
2. Paulus Noa (Namibia), in his capacity as Vice-President of the Conference, chaired the debate. In his introductory remarks, he recalled Conference resolution 3/1, which marked the historic adoption of the Implementation Review Mechanism, and resolution 4/1 endorsing the work of the Implementation Review Group. He reiterated that the purpose of the Implementation Review Mechanism was to help States parties to identify and substantiate specific technical assistance needs and to promote and facilitate the provision of such assistance.
3. The secretariat provided an overview of the key findings of the thematic and regional implementation reports analysing the 44 completed country reviews. The information is contained in documents CAC/COSP/2013/6 to CAC/COSP/2013/12.
4. The secretariat also provided a summary of technical assistance needs emerging from the country reviews and an overview of the technical assistance activities carried out at the global, regional and national levels in support of States parties’ efforts to implement the Convention effectively. The information is contained in documents CAC/COSP/2013/4 and CAC/COSP/2013/5.
5. With a view to informing the debate, the secretariat organized a panel discussion on implementation review. Representatives of Timor-Leste, the Organization of American States (OAS) and the Council of Europe were invited to participate.



6. The representative of OAS provided an overview of the Mechanism for Follow-up on the Implementation of the Inter-American Convention against Corruption (MESICIC) established by States parties to that Convention with a view to ensuring its effective implementation. Thus far, 31 out of the 33 States parties were taking part in MESICIC. In order to conduct its work, the mechanism had developed questionnaires, a methodology for the conduct of on-site visits and a standard format for the preparation of country reports. The work of the mechanism was organized thematically, with different parts of the Convention being covered through multiple rounds of analysis. Thus far, 98 reports had been adopted under MESICIC. All the reports, including their recommendations were publically accessible. As of the second round of analysis, the mechanism had also started to provide follow-up to the recommendations adopted in the reports issued during the previous round. The mechanism also provided for the active participation of civil society and the private sector.

7. The representative of the Council of Europe briefed participants on the review mechanism which had been established under the auspices of the Group of States against Corruption (GRECO). The review mechanism was organized thematically based on 20 guiding principles against corruption and the related provisions of the Council of Europe Criminal Law Convention on Corruption. The mechanism was presently in its fourth round. Questionnaires and on-site visits were the two primary assessment tools. Reports were public and regularly translated into the language of the country under review. The mechanism also included a special compliance review procedure which ensured follow-up to the recommendations issued during the previous round. That had helped significantly in encouraging effective and timely follow-up by GRECO members, with an average 78 per cent compliance rate with all the recommendations issued during the lifespan of the review mechanism.

8. The panellist from Timor-Leste presented the Asian Development Bank-Organization for Economic Cooperation and Development Anti-Corruption Initiative for Asia and the Pacific. The initiative had 31 members and an advisory group which was composed of a number of international organizations, bilateral development partners, civil society organizations and relevant professional associations. The peer review mechanism was intended to advance the implementation of the United Nations Convention against Corruption and to create a platform for peer learning and the exchange of experiences among its members. The review was organized thematically and in its first round had focused primarily on the criminalization and law enforcement provisions of the Convention. Reports were public and contained horizontal analysis as well as recommendations to the membership.

9. Commenting on the panel discussion, one State party expressed its strong support of the Implementation Review Mechanism under the Convention and underscored the positive effect of the review on anti-corruption efforts in his country. He also mentioned that, in the future, States parties should have an input into the composition of panels selected by the Secretariat to inform the debate under specific agenda items. He noted that it was inappropriate to have OAS on the panel, taking into account the exclusion of Member States from the Latin-American region by that organization for political reasons.

10. With a view to informing the debate, the Secretariat organized a panel discussion on technical assistance. Representatives of Sao Tome and Principe, the United Kingdom, the United Nations Development Programme (UNDP), the United Nations Global Compact and Transparency International were invited to participate.

11. The panellist from Sao Tome and Principe presented his country's experience in profiting from the detailed country review report to develop an action plan to enhance anti-corruption efforts. He also mentioned the importance of cooperation between the various national authorities and UNODC to identify technical assistance needs. The panellist further highlighted the importance of raising public awareness through engaging civil society and academia to make the best use of the Convention.

12. The panellist from the United Kingdom focused on the important role that the Convention should have in the post-2015 development agenda. He identified three main challenges in the delivery of technical assistance. The first challenge was to ensure a comprehensive approach in the identification and analysis of technical assistance needs, in contrast with a piecemeal approach covering only portions of the Convention. The second challenge was translating technical issues into political results. The third challenge was how to measure progress. The speaker concluded his presentation by noting that it was not possible to achieve the Millennium Development Goals without efforts towards the full implementation of the Convention.

13. The representative of UNDP noted that fighting corruption was a major development issue and implementation of the Convention needed to be included in the post-2015 development goals. He mentioned various options to that end, including having a stand-alone dedicated anti-corruption goal. The speaker also mentioned a major limitation regarding the inclusion of such a goal, which was the missing dialogue between those who were engaged in the dialogue on the post-2015 development goals and those engaged in the implementation of the Convention.

14. The representative of Transparency International (Mexico) reiterated the importance of including the fight against corruption in the post-2015 development agenda and called for the more active participation of civil society in the related dialogue.

15. The representative of the United Nations Global Compact recalled principle 10 of the compact, on the prevention of corruption, and also emphasized the need to include the fight against corruption in the post-2015 development agenda, in particular as relevant to public procurement in support of sustainable development. In that context, he further underscored the importance of corporate efforts to enhance corporate governance, innovative collective action and public-private partnership initiatives.

16. In the ensuing discussion, several speakers concurred with the need for a holistic approach in the design and delivery of technical assistance, as well as for balancing prevention and enforcement in the fight against corruption. The question of how to address follow-up of technical assistance needs identified during a country review was discussed and the deployment of a follow-up mission and development of an action plan were noted positively in that context. One speaker also expressed the view that there was a need to consider corruption as a universal crime.